AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Serial Number: 09/901,323

Filing Date: July 9, 2001

Title: CHANNEL TRACKING USING CHANNEL COVARIANCE ESTIMATION

Assignee: Intel Corporation

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### <u>REMARKS</u>

In response to the Office Action dated 28 October 2005, the applicant requests reconsideration of the above-identified application in view of the following remarks. Claims 1-2, 4-6, 9-13, 15-18, and 20-23 are pending in the application. Claims 1-2, 4-6, 9-13, 15-16, and 20-23 are allowed, claim 17 is rejected, and claim 18 is objected to. Claim 17 will be amended and new claims 25 and 26 will be added upon entry of the present amendment. No new matter has been added.

#### Allowable Subject Matter

The Office Action indicated that claims 1-2, 4-6, 9-13, 15-16, and 20-23 are allowed. The Office Action also indicated that claim 18 would be allowable if rewritten in independent form.

### New Claims

New claims 25 and 26 will be added upon entry of the present amendment. New claim 25 is the same as original claim 19 that was previously cancelled. New claim 26 includes features found in pending claim 4.

# Rejection of Claims Under \$102

Claim 17 was rejected under 35 USC § 102(e) as being anticipated by Komulainen et al (U.S. 6,658,047, Komulainen). The applicant respectfully traverses.

Komulainen issued on December 2, 2003, which is after the filing date of the present application. The applicant does not admit that Komulainen is prior art, and reserves the right to swear behind Komulainen at a later date.

Claim 17 will be amended upon entry of the present amendment to include features found in pending claim 1 that is allowed.

The applicant respectfully submits that amended independent claim 17 is in condition for allowance.

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## **CONCLUSION**

The applicant respectfully submits that all of the pending claims are in condition for allowance, and such action is earnestly solicited. The Examiner is invited to telephone the below-signed attorney at 612-373-6973 to discuss any questions which may remain with respect to the present application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

EYAL KRUPKA

By their Representatives, SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. Attorneys for Intel Corporation P.O. Box 2938 Minneapolis, Minnesota 55402

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Date 26 January 2006

Bv

Robert E. Mates

Reg. No. 35,271

<u>CERTIFICATE UNDER 37 CFR 1.8:</u> The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26th day of January, 2006.

Name

Signature